IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Crl.Rev.Pet.No. 71 of 2007()

CRA.188/2005 of SESSIONS COURT, KALPETTA
ST.96/2001 of JUDICIAL MAGISTRATE OF FIRST CLASS, KALPETTA.

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REVN. PETITIONER: APPELLANT/ACCUSED

T.J.GEORGE, S/O. JOSEPH,
THOTTATYIL, GOODALAIKKUNNU P.O.
KALPETTA, WAYNAD DISTRICT.

BY ADV. SRI.LALJI P.THOMAS

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. ALOSIUS LUKOSE, S/O. LUKA,
KUNNAMPALLIL HOUSE, KAMBALAKKAD P.O.
WAYANAD DISTRICT.

2. STATE OF KERALA, REP. BY
DIRECTOR OF PROSECUTION,
HIGH COURT OF KERALA, ERNKULAM.

BY ADV. SRI.PHILIP M.VARUGHESE

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29-06-20077, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl. R. P. NO. 71 of 2007

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Dated, this the 29th day of June 2007

ORDER

The accused in ST. No.96 of 2001 on the file of the J.F.C.M, Kalpetta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 7252 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

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